

2.03 Neighborhood Business District (NB)

2.04.1 Intent. The intent of this District is to provide for small-scale retail and service activities for the convenience of the community residents, while still maintaining the rural residential character.

2.04.2 Permitted Uses (upon obtaining a Conditional Use Permit according to the provisions of Section 5.04).

A neighborhood business is limited to:

1. Convenience or general merchandise store.
2. An automobile gas station limited to a maximum of two (2) pumps and as part of a convenience or general store.
3. A foodservice counter and/ or area (which may be within the structure or out side) as part of a convenience or general store.
4. Veterinary Clinic.
5. Child Day Care Center.

2.04.3 Lot Area. The minimum lot area in this District shall be two (2) acres and a minimum lot width of 200 feet.

2.04.4 Lot Location. The Neighborhood Business District shall be located on an arterial road that is maintained by Gallatin County or the Montana Department of Transportation. A District-lot may not include an irrigation ditch or a watercourse.

2.04.5 Required Setbacks.

1. Property line setback 50 feet
2. Road setback 100 feet

2.04.6 Structure Footprint. The minimum building footprint area for a structure is 800 square feet and the maximum building footprint area is 2,400 square feet.

2.04.7 Lot Coverage. No more than 50 percent of the lot area shall be occupied by impervious surfaces.

2.04.8 Building Height. Maximum building height in the District shall be 32 feet.

2.04.9 Parking Plan. A Parking Plan shall be submitted with the Conditional Use Permit (CUP) application. The plan shall:

1. Locate and describe the number of parking spaces that will accommodate the traffic that corresponds with the business use planned.
2. Prohibit designated parking from within the required setback areas.
3. Provide a minimum of two (2) handicap-access parking spaces.

4. Provide pedestrian walkways.
5. Provide designated vehicular and pedestrian access to the business.

2.04.10 Screening. View-obscuring screening may be required between the business use and any adjacent residential district. The screening may consist of a combination of berms, landscaping, fences, and masonry walls. A Site Plan, drawn to scale shall be submitted with the Conditional Use Permit (CUP) application that includes the following:

1. Parcel dimension.
2. Existing and proposed grade of the site.
3. Location and dimension of existing and proposed buildings, fences and walls.
4. Location of storage area for solid waste and other service areas.
5. Landscaping (existing and proposed).
6. Sign type and location.
7. Location and description of outdoor lighting.
8. Location of snow and stormwater retention area.

2.04.11 Standards.

1. To qualify as a Neighborhood Business District, the lot shall be contiguous to an arterial road and can provide adequate access.
2. The structure and business use shall be compatible with adjacent residential uses.
3. Merchandise deliveries and solid waste collection shall be at the rear of the lot or at the rear of the structure.
4. The building exterior-materials and appearance shall be compatible with the residential character of the District (RR-40, AR-80, RW-160) in which it is located; and exterior colors shall comply with standards of the applicable residential district.
5. Effort shall be made to preserve existing natural vegetation and replacement of vegetation removed for site construction.
6. The lot shall provide a trail easement for bike, horse, and/ or pedestrian access that is at least ten (10) feet wide and separate from adequate vehicular circulation and access.

2.04.12 Criteria for Zone Amendment Review.

1. The business use complies with the permitted uses (Section 2.04.2).
2. Demonstrate compliance with standards pursuant to Section 2.04.11.
3. Submittal of a Site Plan that:
 - a. describes and locates the placement of uses on the lot;
 - b. describes the activities and proposed mitigation for potential smoke, dust, airborne particles, glare, heat or noise; hours of operation; any potential fire mitigation; and traffic mitigation;
 - c. complies with the parking requirements (Section 2.04.9);
 - d. complies with the screening requirements (Section 2.04.10); and
 - e. complies with any other applicable standards pursuant to General Building and Development Standards (Section 3.01).
4. Demonstrate compliance with the Gallatin County Growth Policy.
5. Agreement to install all required improvements prior to occupancy of the business and obtain a Certificate of Occupancy pursuant to Section 2.04.14.
6. The Zone Amendment to allow the Neighborhood Business District is for the specified use approved and any change of use shall be reviewed and only permitted with an approved Conditional Use Permit (CUP) pursuant to Section 5.04.

2.04.13 Review Procedures. An applicant requesting a Neighborhood Business District designation shall submit all requirements of this Section as part of the Zone Amendment procedure set forth in Section 5.07.

2.04.14 Certificate of Occupancy. All improvements (including parking, trail, screening, landscaping, lighting, signage, etc.) shall be installed before occupancy of the structure(s) or use of the approved business and verified by the Zoning Enforcement Agent as a condition of the zone change approval. Upon confirmation that all required improvements are installed and satisfactory to the Zoning Enforcement Officer, the Zoning Enforcement Officer shall issue a Certificate of Occupancy.